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8 **UNITED STATES DISTRICT COURT**
9 **WESTERN DISTRICT OF WASHINGTON**
10 **AT SEATTLE**

11 HENRY C. ROSENAU,

12 Petitioner,

13 v.

14 UNITED STATES OF AMERICA,

15 Respondent.

16 **CASE NO. C13-1997 MJP**

17 **ORDER FOR SERVICE AND**
18 **ANSWER, § 2255 MOTION**

19 THIS MATTER comes before the Court upon Petitioner's motion under 28 U.S.C. § 2255
20 to vacate, set aside, or correct his sentence (Dkt. No. 1), and a supplemental brief on the same
21 subject (Dkt. No. 5). After a preliminary review of the motions, the court does hereby ORDER
22 that:

23 (1) The Clerk of Court shall arrange for service by first class mail upon the United
24 States Attorney of a copy of the Motion and the attachments thereto, and of this Order. The Clerk
shall also direct a copy of this Order and of the General Order to Petitioner.

25 (2) Within thirty (30) days after such service, the United States shall file and serve an
26 Answer in accordance with Rule 5 of the Rules Governing Section 2255 Cases in United States

1 District Courts. As part of such Answer, the United States should state its position as to whether
2 an evidentiary hearing is necessary, whether there is any issue as to abuse or delay under Rule 9,
3 and whether petitioner's motion is barred by the statute of limitations.

4 (3) On the face of the Answer, the United States shall note the Answer for
5 consideration on the fourth Friday after it is filed, and the Clerk shall note the Answer
6 accordingly. Petitioner may file and serve a response not later than on the Monday immediately
7 preceding the Friday designated for consideration of the matter. The United States may file and
8 serve a reply brief not later than on the Thursday immediately preceding the Friday designated for
9 consideration of the matter.

10 (4) Filing and Service by Parties Generally

11 All attorneys admitted to practice before this Court are required to file documents
12 electronically via the Court's CM/ECF system. All counsel are also directed to the Court's
13 website, www.wawd.uscourts.gov, for a detailed description of the requirements for filing via
14 CM/ECF. All non-attorneys, such as pro se parties and/or prisoners, may continue to file a paper
15 original of any document for the Court's consideration. A party filing a paper original does not
16 need to file a chambers copy. All filings, whether filed electronically or in traditional paper
17 format, must indicate in the upper right hand corner the name of the judge to whom the document
18 is directed.

19 For any party filing electronically, when the total of all pages of a filing exceeds fifty (50)
20 pages in length, a paper copy of the document (with tabs or other organizing aids as necessary)
21 shall be delivered to the Clerk's Office for chambers. The chambers copy must be clearly marked
22 with the words "Courtesy Copy of Electronic Filing for Chambers."

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Additionally, any document filed with the Court must be accompanied by proof that it has been served upon all parties that have entered a notice of appearance in the underlying matter.

The clerk is ordered to provide copies of this order to all counsel.

Dated this 21st day of January, 2014.

Wesley F. Bellman

Marsha J. Pechman
Chief United States District Judge